

Town of Callahan

'A Florida Municipality'

Town Council Minutes

August 18, 2014

7:00 P.M.

Present at Meeting: Mr. Rau, Mr. Fontes, Mr. Bass, Mayor Graham, Mrs. Smith, Mrs. Shaw, Mr. Mellecker, Mr. Branham, Mrs. Knagge, Mr. Williams, and two (2) members of the Media.

Absent: None

Meeting Called to Order – Mr. Rau at 7:01 PM.

Pledge of Allegiance to Flag/Invocation – Pledge and Invocation by Mr. Rau

Visitors Welcomed and Reminded Minutes are Being Recorded -- Mr. Rau

Persons Wishing to Address Council on Items Not on the Agenda

- Mayor Graham presented Mr. Rau an Edible Arrangement & Card from the Staff & Council wishing him a healthy heart and speedy recovery from his heart surgery.
- Mr. Rau thanked everyone for being so caring and helpful through this whole ordeal.

Minutes – Motion to approve the Minutes by Mr. Fontes and 2nd by Mr. Bass. Motion Carried.

Old Business

- Interlocal Agreement Callahan Volunteer Fire Station & Nassau County Fire Department
 - Mr. Branham updated the Council that he had updated the proposed agreement since the workshop and has delivered a clean copy to the County. Mr. Branham stated that Mr. Holloway said that it would be on the Agenda for the County August 25th.
 - Mr. Branham asked the Council if they wanted to give the Mayor the freedom to execute the Agreement with the County or wait.
 - Mr. Fontes stated that he would personally prefer to wait to what the County offers first.
 - Mr. Bass had a couple questions on the revised Agreement:
 - #8 – Reasonable Response Time? Not 4.5 months or a year.
 - #11 – We voice concerns for the Fire Chief through the County Manager?
 - Mr. Branham stated that was County language.
 - Mr. Fontes – Don't we also need to agree or disagree?
 - Mr. Branham – We can terminate this Agreement at any time it is not an automatic renewing agreement.

- Mr. Mellecker – Can we ask for an automatic renewal to eliminate this hassle from happening again?
 - Mr. Fontes about #13 talking about funds.
 - Mr. Branham said #13 needed to be stroked out.
 - Mr. Rau stated that this is just a Mutual Aid Agreement. However, we should wait to see what the County comes back with and then go from there. Council Agreed.
- Employee Insurance Issue
 - Mr. Branham stated that he, the Mayor, Mr. Williams, & Mrs. Harrison met. Mr. Williams had come up with the Amount of \$41,472 from the 4 years of lack of insurance payments from Mrs. Harrison. Mrs. Harrison has paid the Town \$41, 820. If the Council agrees to authorize the Mayor to agree not to pursue further payment or criminal charges than this matter can be closed.
 - Discussion
 - Mrs. Smith stated that while out and around Town collecting Petition signatures she and Mrs. Shaw encountered several people who brought up this issue and were not happy that the Council has not pursued full payment, the Audit fees, and the Attorney fees. Also, they feel that Mrs. Harrison should not be allowed to work for the Town any longer. Mrs. Smith also read an anonymous letter from a citizen.
 - Mrs. Shaw read another letter she received from a concerned citizen.
 - Mrs. Knagge read a letter Mrs. Shaw had received at Mrs. Shaw's request.
 - Mr. Fontes stated that he agreed that the Audit & Lawyers' fees should be paid; however, he feels that Mrs. Harrison is still most qualified for the Planning & Zoning Board. In the past when we have tried to fill that position with someone else we were not successful.
 - Mrs. Shaw stated that surely there was someone else that could be trained to do that job: Mike, April, Mr. Larsen.
 - Mr. Fontes stated that Mrs. Harrison is a general contractor and know our Town code & plans unlike anyone else. Especially for the small amount the Town pays her.
 - Mrs. Shaw stated that she can't believe that there is no one else that is qualified. She stated that while she loves Carrie as a person she feels that Carrie was in the wrong and should not be working here any longer.
 - Mr. Fontes stated that for our Town to grow we need construction and without Planning & Zoning that is not going to happen. Would Mr. Shaw be interested in running it?
 - Ms. Shaw said that Mr. Shaw said that Mr. Caulkins is capable of running the Planning & Zoning Board. Mrs. Knagge reminded the Council that Mr. Caulkins will be retiring as of September 30th.
 - Mr. Branham stated that this is a very complicated position that not just anyone can fill. That person would have to know the Town Code inside and out. They would also need to know how those codes go with State laws.
 - Mr. Rau asked who does Hilliard's. Mr. Fontes stated that he believed Mr. Larsen handled theirs.
 - Mrs. Shaw stated again that what she is getting from the Citizens is that Carrie working here is wrong and we need to do something about it.
 - Mayor & Mr. Mellecker asked Mrs. Shaw where those citizens are.
 - Mrs. Shaw stated that it is her job to speak for the citizens and that is what she is doing.

- Mr. Fontes stated that unfortunately it is a very complicated situation with no easy answer.
 - Mrs. Shaw stated that we should at least make a solid effort to find someone else.
 - Mr. Fontes stated that the Town of Hilliard fired Mr. Larsen and could never find anyone to fill the position, so they had to hire him back.
 - Mr. Williams stated that if the Council does choose to keep her Mrs. Harrison has already agreed to work without payment until any additional funds are paid.
 - Mr. Rau stated that he fully felt that this was an oversight by Mrs. Harrison and he also feels that she has more than compensated the Town according to the Audit findings. It would cost the Town more money to find someone else, and then what are we going to do if we can't find anyone else to replace her?
 - Mr. Fontes stated it would be imprudent of the Town to fire her without a solid replacement.
 - Mr. Branham stated he only attends meetings where a vote will be needed to save the Town money. Mrs. Harrison runs all of the other ones. He stated he has only attended maybe 3 this year.
- Motion for Mrs. Harrison to pay the Town \$3000 in addition to what she has already paid by Mr. Fontes and 2nd by Mrs. Shaw.
- Discussion:
 - Mr. Mellecker asked how the Council wanted her to pay it back.
 - Mr. Rau stated for her just to pay it like she has the rest.
 - Mr. Branham asked if this motion was to authorize the Mayor to sign off after the payment or does it need to come back before the Council.
 - Mr. Rau stated that this was to give the Mayor Authorization.
 - Mr. Fontes asked Mr. Branham how much more of his time will need to be spent on this matter. Mr. Branham stated maybe 30 minutes.
- Mr. Fontes amended his motion to state that Mrs. Harrison would pay the Town \$3000 plus any additional Lawyer fees and it was 2nd by Mrs. Shaw.
- Discussion:
 - Mr. Bass asked what will stop us from adding anymore. When will it stop?
 - Mr. Fontes stated that this was just after the finding and that it is why it was brought up again. Therefore, it shouldn't come before the Council again.
- Mr. Fontes amended his motion to state that Mrs. Harrison would pay the Town \$3000 plus any additional Lawyer fees on or before October 1st with no additional fees being brought and it was 2nd by Mrs. Shaw. Motion Carried.
- Discussion:
 - Mr. Rau asked what now: will Carrie be allowed to work, will we sever relations, and/or advertise for a replacement?
 - Mayor stated that we should advertise to request proposals & qualifications.
 - Mr. Fontes asked if we wanted someone qualified for Planning & Zoning and Building Inspections. Would we replace Mr. Larsen?
 - Mr. Williams stated that we pay Mr. Larsen \$250 per month plus 75% of all permits.

- The consensus of the Council is that Mr. Williams & Mrs. Knagge are to decide where to run the Advertisement and the Mayor will report back to the Council any submissions.

New Business

- FDOT Traffic Signal Maintenance Agreement – Resolution 2014-R09
 - Mr. Branham read by Title.
 - Mr. Williams provided an overview for the Council.
 - Motion to approve Resolution 2014-R09 by Mr. Mellecker and 2nd by Mrs. Shaw. Motion Carried.

Recurring Business; Water & Sewer Adjustments

- First Coast Pawn –
 - Mr. Fontes stated that the owner of the Pawn shop purchased the old Florida Sun place for storage.
 - In April they realized there was a water leak and for the water to be turned off at the Meter, but didn't want to close the Account.
 - The owners recently came into requesting to close the Account and to be refunded for the monthly water bills they have paid since April when the Meter was shut off.
 - Mr. Fontes stated this could go either way... ½ our fault & ½ theirs.
 - Mr. Branham asked if their request is related to them not closing the account. Do we know the circumstances surrounding the leak? Are they using the Building? Mr. Fontes responded they had requested to turn off at the Meter not to close the Account and they are using the Building for Storage.
 - Mr. Rau asked if a business is required to have a water account. Mr. Branham stated that the code does require them to have one.
 - Mr. Mellecker asked if that would apply to them if they are only using it for storage.
 - Mr. Branham stated that in Section 190-9 that sewage is mandatory and water is optional.
 - Mr. Fontes asked how you can have sewer without water.
 - Mr. Mellecker stated they have an account, so what does it matter.
 - Mr. Rau stated that there is no ordinance in place to force them to have an account.
 - The consensus of the Council was to NOT grant a refund.

Review & Approval of Town Expenditures

➤ **General Fund – \$9,933.58**

- Motion to approve by Mr. Mellecker and 2nd by Mrs. Shaw. Motion Carried.

➤ **Water & Sewer Fund – \$7,746.38**

- Motion to approve by Mr. Fontes and 2nd by Mr. Bass. Motion Carried.

➤ **Water & Sewer Deposit Disbursements -- None**

Around the Council Table

➤ **Mayor**

- Great to see Mr. Rau back where he belongs and looking so good.
- Letter from Kim Hoffecker asking to resign from Planning & Zoning Board. He would stay through December if needed, but would prefer to be replaced as soon as possible.
- Shriner's Circus passes the Town purchased were distributed to the Callahan Headstart on the 8th and they were very grateful.

➤ **Mr. Fontes**

- At Wednesday's workshop Commissioner Leeper mentioned 3 times about the Fire Station Lease. We need to consider our plans for the Lease. Commissioner Leeper stated it would go a long way to the MTSU discussions.
 - Mr. Branham stated that the MSTU is a Planning & Zoning issue for the County.
 - Mr. Rau stated that they are 2 different entities and should not be together.
 - Mr. Mellecker asked when we raised the rent.
 - Mr. Bass stated that we raised it last year.
 - Mr. Williams stated that there is a difference in what is expected and what is done.
 - Mr. Rau said that we need to better clarify the Maintenance contract and we can re-visit this issue after we see what the County offers.

➤ **Mr. Bass** – None

➤ **Mrs. Smith** – None

➤ **Mrs. Shaw**

- Received a question from a resident over the weekend about what happens when you pay your water deposit and then pay for 24 consecutive months.
 - Mr. Williams stated that it is credited back to their water account.
- Received a letter concerning an issue at the Park and gave to Mr. Branham who will forward it onto our insurance company.

➤ **Mr. Mellecker** – None

➤ **Mr. Branham** – None

➤ **Mrs. Knagge**

- Asked if Council would still like to have a meeting on September 2nd since we will be having a meeting on September 15th & 29th due to the Budget.
 - Mr. Fontes stated that he felt we should still meet in case something happened with the fire agreement or a citizen needs the Council.
 - The Council consensus was to proceed and have 3 meetings in September.

- Mrs. Knagge stated that she would not be able to attend the September 2nd meeting, but that Mr. Williams will fill in for her.
- Wanted to remind everyone that Qualifying ends on Friday at 4:00 PM and anyone wishing to run for Mayor, Clerk, Treasurer, or 2 Council positions still had time to Qualify!

➤ **Mr. Williams**

- Mr. Caulkins has given his notice and will officially retire on September 30th as Code Enforcement Officer.

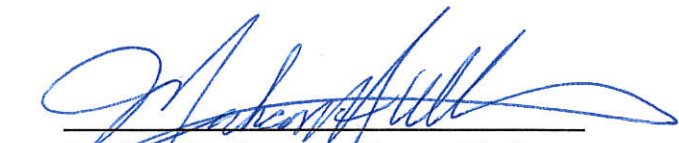
➤ **Mr. Rau** – None

Adjourn -- Motion to adjourn by Mr. Fontes and 2nd by Mr. Mellecker. Motion Carried. Time: 8:25 PM

- Mrs. West asked to formally thank the Mayor for attending the 100 year Birthday of Mr. Norman Pryor and reading a Proclamation from the Town.
- Mr. Bass stated that he would not be in attendance for the September 29th Meeting.



Robert Rau, Council President



Stephanie Knagge, Town Clerk
 Michael Williams, Town Manager
 in absense of Mrs. Knagge

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.